

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:20-CR-00015-RJC-DCK

USA

v.

MAURICE BRANDON RAKESTRAW

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ORDER

THIS MATTER is before the Court upon motion of the defendant pro se for a reduction of sentence under 18 U.S.C. § 3582 on and for appointment of counsel. (Doc. No. 92).

Part A of the Amendment 821 to the United States Sentencing Guidelines is retroactive and amended USSG §4A1.1 to limit the impact of status points on criminal history category. USSG §1B1.10(d), comment. (n.7). Part B, Subpart 1 of the Amendment is retroactive and created a two-level decrease if a defendant meets all the criteria in USSG §4C1.1(a), including having zero criminal history points. USSG §1B1.10(d), comment. (n.7).

Here, the Court determined the defendant had thirteen criminal history points, none of which were status points. (Doc. No. 56: Presentence Report ¶ 61). The Amendments do not lower his criminal history points or offense level. Accordingly, he is not eligible for relief. USSG §1B1.10(a)(2)(B).

IT IS, THEREFORE, ORDERED that the defendant's motion is **DENIED**.

Signed: June 10, 2024



Robert J. Conrad, Jr.
United States District Judge

